



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/869,406	06/05/97	BARNIKOL	W DT-2179

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1251 AVENUE OF THE AMERICAS
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NEW YORK, NY 10020-1182

HM12/0303

EXAMINER

GUPTA, A

ART UNIT	PAPER NUMBER
1654	24

DATE MAILED: 03/03/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



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EXAMINER

ART UNIT	PAPER NUMBER
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24

DATE MAILED:

NOTICE OF ABANDONMENT

This application is abandoned in view of:

- ☒ Applicant's failure to respond to the Office letter, mailed 6-5-98.
- ☐ Applicant's letter of express abandonment which is in compliance with 37 C.F.R. 1.138.
- ☐ Applicant's failure to timely file the response received ____ within the period set in the Office letter.
- ☐ Applicant's failure to pay the required issue fee within the statutory period of 3 months from the mailing date of ____ of the of the Notice of Allowance.
 - ☐ The issue fee was received on ____.
 - ☐ The issue fee has not been received in Allowed files Branch as of ____.

In accordance with 35 U.S.C. 151, and under the provisions of 37 C.F.R. 1.316(b), applicant(s) may petition the Commissioner to accept the delayed payment of the issue fee if the delay in payment was unavoidable. The petition must be accompanied by the issue fee, unless it has been previously submitted, in the amount specified by 37 C.F.R. 1.17(l), and a verified showing as to the causes of the delay.

If applicant(s) never received the Notice of Allowance, a petition for a new Notice of Allowance and withdrawal of the holding of the abandonment may be appropriate in view of *Delgar Inc. v. Schuyler*, 172 U.S.P.Q. 513.

- ☐ Applicant's failure to timely correct the drawings and/or submit new or substitute formal drawings by ____ as required in the last Office action.
 - ☐ The corrected and/or substitute drawings were received on ____.
- ☐ The reason(s) below.

Cecilia J. Tsang
Supervisory Patent Examiner
Technology Center 1600